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S/N 09/980,364

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	BOUTILIER et al.	Examiner:	Stuart F. Baum
Serial No.:	09/980,364	Group Art Unit:	1638
Filed:	April 8, 2002	Docket No.:	14119.0001US01
Title:	USE OF BNM3 TRANSCRIPTIONAL ACTIVATOR TO CONTROL PLANT EMBRYOGENESIS AND REGENERATION PROCESSES		

CERTIFICATE UNDER 37 C.F.R. 1.61(d):

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on December 16, 2005.

By: 

Name: Karun R. Nejedly

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In accordance with 37 C.F.R. § 41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-4, 6, 7, 10-17, 19-27, 38-53, 59 and 60 of the above-identified application, as set forth in the Office Action mailed June 16, 2005.

Please charge Deposit Account No. 13-2725 in the amount of \$500.00 to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 41.20(b)(1).

Also enclosed is a Petition for three-month extension of time to respond to the final rejection, thereby extending said period of response from September 16, 2005 to December 16, 2005. Please charge Deposit Account No. 13-2725 in the amount of \$1,020.00 to cover the required extension fee for large entity.

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Please charge any additional fees or credit any overpayment to Merchant & Gould P.C.,
Deposit Account No. 13-2725.



Respectfully submitted,

MERCHANT & GOULD P.C.

Dated: _____

12/16/05

By: _____

A handwritten signature in dark ink, appearing to read 'Gregory A. Sebold', written over a horizontal line.

Gregory A. Sebold

Reg. No. 33,280

GAS/km